



IPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Christophe KOPP et al.

Group Art Unit: 2878

Application No.: 10/528,358

Examiner: P. BUI-PHO

Filed: May 25, 2005

Docket No.: 123236

For: OPTICAL DEVICE PRODUCING TWO BEAMS CAPABLE OF REACHING A
COMMON SENSOR

REPLY TO ADVISORY ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the April 25, 2007 Office Action, and further to the July 12, 2007

Amendment After Final Rejection, the July 26, 2007 Advisory Action, and the August 16,
2007 Personal Interview with the Examiner, reconsideration of the rejection and objections is
respectfully requested in light of the following remarks.

Claims 10-18 are pending in this application.

Examiner Bui-Pho informed the Applicants' representative during the August 16
personal interview that upon further review the application was considered to be in condition
for allowance, and that the Examiner would withdraw the July 26 Advisory Action.

Therefore, Applicants respectfully submit that no further action is required in response to the
July 26, 2007 Advisory Action.

The arguments presented in preparation of the August 16 personal interview are
repeated below.

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August 7, 2007

FACSIMILE TRANSMISSION COVER SHEETTo: Examiner Bui-Pho (571-273-2714)From: Kirk BerkhimerYour Ref.: 10/528,358Our Ref.: 123236Number of Pages Sent (Including cover sheet): 2Prepared By: kdb**Comments:**

Thanks for the interview held with us on July 12. As a quick follow-up, I've received correspondence from the inventor that would indicate that the applied reference of Yanagi is patentably distinct from the invention for reasons that I did not appreciate earlier.

Referring to the attached drawing, the Applicants' disclosure (para. [0018]) defines the "incident beam" (as recited in the claims) as the beam between the first light source (7) and the reflecting mirror (15). The beam between the reflecting mirror (15) and the sensor (13) is defined as the "reflected beam," (para.[0019]).

Accordingly, as shown in Fig. 1 of the Yanagi reference, the collimating lens (9) cannot reasonably be considered to be arranged at an intersection of the first incident beam (A) and of the second beam (B), as the first incident beam (A) and the second beam (B) do not intersect, when Yanagi is interpreted in view of the Applicants' specification. Instead, the reflected beam (C) intersects with the second beam (B).

I would like to get your thoughts on this argument, as it will be what we are submitting, and we do not believe that we've considered this aspect before it was brought to our attention by the Applicants.

If you could give me a call at (703) 836-6400. Otherwise, I will contact you tomorrow. Thanks in advance for your help.

Sent By: kdb

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